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AUG 23 2005 IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Clark, U.S. Dist. Court Charlotte Division
W. Dist. of N.C.

ROBERT LOWINGER, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

EUGENE B. JOHNSON, DANIEL G.
BERGSTEIN, KELSO INVESTMENT
ASSOCIATES V, L.P., KELSO EQUITY
PARTNERS V, L.P., FRANK K. BYNUM,
JR., GEORGE E. MATELICH, KELSO &
COMPANY and FAIRPOINT
COMMUNICATIONS, INC.,

Defendants.

Case No. 3:05CV316-H

SCHEDULING ORDER RELATING TO
PLAINTIFF'S MOTION TO REMAND

The Court hereby orders as follows:

- (A) The Defendants shall have an additional fourteen (14) days, up to and until September 9, 2005 in which to respond to Plaintiff's Motion for Remand; and
- (B) Plaintiff shall have an additional eight (8) days, up to and until September 27, 2005 to file its Reply Brief.

This the 26th day of August, 2005.

Carl Horn, III

Presiding Judge